

TRANSMITTAL FOR U.S. PATENT APPLICATION
UNDER 37 CFR §1.53(b)

Mail Stop: Patent Application
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No.: 074078.0122
Express Mail. No. EV 324623153 US



Sir:

Transmitted herewith for filing is the original patent application of:

Inventors: William (nmi) Reinisch, et al.

For: AMPLIFYING DIVERSITY SIGNALS USING
POWER AMPLIFIERS

Pursuant to 37 C.F.R. § 1.213(a), Applicants respectfully request that the above-identified patent application not be published under 35 U.S.C. § 122(b). Applicants hereby certify that the invention disclosed in the above-identified application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Enclosed are:

- (1) 28 pages of Specification, Claims and Abstract;
- (2) 5 pages of an executed Declaration and Power of Attorney;
- (3) 3 pages of Formal Drawings;
- (4) Assignment of the invention to Magnolia Broadband Inc. (4 pages);
- (5) Separate cover sheet in compliance with 37 C.F.R. § 3.28 and § 3.31 is included with an Assignment recordal fee of \$40.00 pursuant to 37 C.F.R. § 1.21(h) (2 pages);
- (6) 1 page of a Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i) Form;
- (7) Verified Statement (Declaration) Claiming Small Entity Status (1 page);
- (8) Information Disclosure Statement (2 pages);
- (9) PTO-1449 (2 pages with two attached references);
- (10) 1 page of a Certificate of Mailing by Express Mail No.: EV324623153US;
- (11) Baker Botts Return Receipt Postcard; and
- (12) 2 pages of this Transmittal Form with attached patent application filing fee in the amount of \$665.00.

Applicant is a _____ large X small entity.

| FEE CALCULATION | | | | | FEE |
|-----------------------|--------|----|-----------------|----------|------------------------|
| | Number | | Number Extra | Rate | Basic Fee \$ 385.00 |
| Total Claims | 32 | 20 | 12 | X \$9 = | 108.00 |
| Independent Claims | 7 | 3 | 4 | X \$43 = | \$ 172.00 |
| TOTAL FILING FEE = | | | | | \$ 665.00 |

Enclosed is a check in the amount of \$665.00 for the filing fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P. **A duplicate copy of this sheet is enclosed.**

BAKER BOTTS L.L.P.
Attorneys for Applicant



Keiko Ichiye
Registration No. 45,460

Date: October 28, 2003

CORRESPONDENCE ADDRESS:

 X Customer Number **05073**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William (nmi) Reinisch, et al.
Date Filed: October 28, 2003
Title: AMPLIFYING DIVERSITY SIGNALS USING
POWER AMPLIFIERS

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Patent Application (28 pages, including Specification, Claims, and Abstract), Declaration and Power of Attorney (5 pages), 3 sheets of Formal Drawings, Assignment (4 pages), Assignment Recordation Cover Sheet (2 pages), a check in the amount of \$40.00 to satisfy the recordal fee, Nonpublication Request (1 page), Verified Statement Claiming Small Entity Status (1 page), Information Disclosure Statement (2 pages); PTO-1449 Form (2 pages with two attached references), Transmittal Form (2 pages), a check in the amount of \$665.00 to cover the application filing fee, a Baker Botts return acknowledgment postcard, and this Certificate of Mailing are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 28th day of October, 2003 and is addressed to Mail Stop Patent Application, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Willie Jiles

Express Mail Receipt
No. EV324623153US
Attorney's Docket: 074078.0122

| | | |
|---|----------------------|--|
| NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i) | First Named Inventor | William (nmi) Reinisch, et al. |
| | Title | AMPLIFYING DIVERSITY SIGNALS USING POWER AMPLIFIERS |
| | Atty Docket Number | 074078.0122 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

BAKER BOTTS L.L.P.
Attorneys for Applicants

October 28, 2003
Date


Signature

Keiko Ichiye
Typed or printed name
Reg No. 45,460

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.